

GOVERNOR'S COMMITTEE FOR THE PURCHASE OF COMMODITIES AND SERVICES FROM THE HANDICAPPED

Minutes

September 17, 2003

F. Ray Power Bldg., Institute, WV

Attendance: Lee Dixon, Chair; Linda Maniak, Donna Lipscomb, Dennis Miller, Karen Byrd, Exec. Secretary; Brenda King, DRS; LuAnn Summers, DRS

Absent: Everett Sullivan

WVARF Staff: Steve King, Craig Greening, Chris Miller, Ken Kennedy

Visitors Present: Bob Hanson, Tim Morris, Gloria Cox, Sammy Burdette, Bob McCoy, Brenda Hellwig, Mark Kessler, Sandy Poling, Marsha Allman

Approval of Minutes: Motion was made by Linda Maniak to approve the August 6, 2003 minutes; the motion was seconded by Donna Lipscomb.

Financial Report: Brenda King: \$3,896 at the end of July. No meeting was held in August.

Report of Chair: Lee Dixon: Nothing to report at this time.

Report of Executive Secretary: Karen Byrd: Nothing to report at this time.

Report of WVARF Executive Director: Steve King

Annual Report Data:

Sales by Agency and category data was distributed and reviewed. This data is almost final however some verification is still being conducted. This information will be a big part of the State Use annual report. Some of the highlights include:

- *Overall sales were positive \$11,034,719. This is a 5% increase.

- *The majority of the 2003 Services are positive \$10,404,355 reflecting an increase from \$9,813,622 in the previous year.

- *product portion did not do as well \$630,365 reflecting a loss of \$70,945 from the previous year. One explanation could be lack of getting word out, CRPs having product specific problems; some of the products do not have state wide contracts so buyers have the flexibility to buy where they want as long as it is below a certain price. A majority of services contracts integrate workers into work settings which provide higher wages so programs concentrate more in this area of development. Other issues are delivery problems and cut back in state government.

- *Another area of concern is the temporary services contract. The 1,000 hour rule makes it difficult to maintain coverage in the positions. CRPs must pass up opportunities when people are not identified or available immediately.

The people side of the data is positive except for a couple of areas. Hours worked by people with disabilities are up by about 3%. People without disabilities working is down. The overall total reflects a 2°k increase which is still healthy as far as the 75%/25% requirements of the law. 2001 -2002 figures were not broken down. All statistics must be in the State Use report. Information for the report just not finalized. Another challenging area is trained people moving on to outside competitive employment. Not a lot of movement to outside competitive employment is being reported! provided by the programs. Employment options overall for people with disabilities is low thereby causing CRPs to become one of the larger employers.

The Annual awards banquet will be held in October. One award area is the State Use Stepping Stone Award. This is an individual who has worked in State Use and has moved on to competitive employment. No one has been nominated from the CRP programs. This could be because there is not enough participation in nominating award recipients. Mailings were sent to all CRPs asking for nominations. They will be notified this week of the banquet specifics.

Updated Committee Membership list:

An updated copy of the State Use Committee members and contact information was distributed. Please check the updated listing and note any corrections. Donna Prunty reported a name change from Prunty to Lipscomb. This change also needs reflected in her e-mail address.

Central Non-profit Agency Action Plan:

Every month updates on action plan will be reported. This plan was developed by the Committee. It is planned to report on the action steps and action items throughout the year in the hopes to complete the items at year's end.

Contract Complaints:

Craig Greening reviewed the complaint list which consisted of 8 different complaints. Green Acres is still having problems with water delivery. Only 1 or 2 trucks out of 5 were operational. They now have 3 new trucks. Additional water delivery issues were identified by Donna Lipscomb during the meeting. Craig Greening will follow up with complaint. Discussion was held among committee members to identify if there was anything the Committee could be doing to alleviate the water delivery issues. Green Acres indicated an interest in the low interest loans through WVARF to obtain additional monies for vehicles and/or repairs.

DMV issued a complaint regarding current janitorial services being provided by Goodwill Kanawha, especially in light of the fact they will be doubling the size of building. The South Charleston office will be moving to the Kanawha Mall location.

They say they are okay with the current service they are getting, but when they have more space, they may want to make changes.

IS&C registered a complaint regarding courier services provided by Goodwill Kanawha. Goodwill got new a van in May. Mail postmarked for May was found in the old van and was hand delivered in September.

Contract Presentation New:

1. Non-reoccurring State Use Projects Report
2. DOH –Low Impact Monitor
3. DMV –Kanawha Mall
4. DNR River Access Sites
5. SBA –janitorial
6. SBA –grounds

Craig Greening reviewed the non-recurring purchases list. Craig noted the decrease in products was very discretionary. People are waiting and not doing these discretionary products. Lee Dixon added that historically spending decreases in the beginning of fiscal year.

On a positive note, five brand new contracts have been obtained:

LOW IMPACT MONITORS: Division of Highways will inherit from the Public service commission the low impact monitor duties. Department of Highways (DOH) owns all the bridges and must provide monitors for overweight vehicle travel by Oct 1. This contract consists of providing a driver (escort) to meet trucks at specified locations (indicated on the DOH permit) and travel with the overweight vehicle across the bridge or bridges specified on the permit. The escort will locate the bridge or bridges before meeting the truck, travel with the truck and inform him well in advance so the truck can reduce his speed before crossing the bridge. The monitor will also be required to review the permit and its provisions with the truck driver. Violations must be reported to his/her dispatcher who in turn reports it to DOH. Hourly wage for monitors will be \$8.00! hour and they must drive their own vehicle. Costing included mileage and equipment costs. Price to customer was calculated to be \$30.20 per hour. Dispatchers will receive \$8.00 per hour. Costing has been accepted. We were their best option. CRPs approached were Harrison County Sheltered Workshop, Goodwill Industries of KYOWVA, SW Resources, and Wyoming County Workshop. Question regarding vehicle insurance was asked and Craig indicated this did not come up in the discussions but if necessary will be addressed.

DMV KANAWHA CITY: South Charleston DMV office will be moving to the Kanawha City location. This will increase the square footage to 10,000 total square feet. The contract also requires that 120 chairs be moved every day. Pricing for the additional square feet and moving of the chairs has been accepted. Goodwill of Kanawha Valley already had this contract so the additional duties and square footage was assigned to them.

MAINTENANCE OF DNR SPORTSMAN STREAM ACCESS SITES:

Ken Kennedy reviewed the scope of work for the DNR Sportsman Stream Access Contract. Currently DNR is responsible for the maintenance management of 80-100 sites throughout WV.

This is a pilot project with district 5 DNR who came to us to try to develop a delivery of services to maintenance areas. If successful this would eventually become a 7 month contract. If Fair Market Price is approved the contract will get started 24th or of this month. Karen Byrd recommended obtaining copies of other written bids which had already been done however there were no other bids. Also there had been no other solicitation done with other private landscape firms. It is usually required to document efforts to gather additional fair market price. With only one price quote, there is nothing to compare it to. Bob Hansen from Pretera requested permission to ask a question which was granted by Lee Dixon. Mr. Hansen inquired as to how the CRP selection (which is Goodwill of Kanawha) was made. Mr. Hansen indicated that all of these locations were within the area that Pretera provides services. Craig Greening indicated that WVARF was looking at programs already with maintenance in place in making this assignment. Karen Byrd and Donna Lipscomb both indicated that they thought that notification had gone out to all the CRPS. Craig Greening and Ken Kennedy confirmed that this had not been done. Both Karen Byrd and Donna Lipscomb recommended that WVARF need to do mailings to other CRPs to give equal opportunity to all programs interested in available State Use. Karen Byrd indicated that if a CRP had approached WVARF with the information regarding a potential contract that would be different but when new opportunities arose all CRPs should be given opportunity. Steve King indicated that capability was also a factor in making assignments. Craig Greening also indicated that this will be a 2 month test if Fair Market Price was approved and the contract was agreed upon today so they needed to make the assignment immediately, WVARF did not have time to put it out to everyone. Tim Morris, visitor, asked why would not the past assignment criteria of geographical location and current amount of State Use be a consideration in making the assignment? Committee members Donna Lipscomb, Karen Byrd and Brenda King all agreed that WVARF needed to come up with a consistent process to follow when assigning new contracts. Karen Byrd indicated that contracts involving more money should be handled in a RFP type process. Donna Lipscomb recommended that coming up with a new process should be added to the next meeting agenda. Donna Lipscomb discussed the importance of allowing the board to conduct their meeting and go through the agenda with few interruptions and made a motion to keep discussion within the board and allow visitors to provide input/ask questions at the end of the meeting. Motion was seconded by Dennis Miller. Motion approved.

Donna Lipscomb moved for approval of all contracts subject to DNR attempting to get fair market prices this was seconded by Linda Maniak. Motion was approved. Discussion occurred regarding additional state office buildings needing janitorial services. Craig Greening indicated that he would follow up on information provided by Donna Lipscomb.

SCHOOL BUILDING AUTHORITY:

Janitorial services requested for the School Building Authority. 2.25 days per week were requested. Contract assigned to Goodwill Kanawha.

SCHOOL BUILDING AUTHORITY:

Grounds Maintenance requested for the grounds associated with the School Building Authority. 1 day per week needed. Contract assigned to Goodwill Kanawha.

Contract Presentations (Renewals):

IS&C Courier Services contract renewal submitted. Contract assigned to Goodwill Kanawha.

Contract updates and previews:

DHHR -Calhoun County switched to SW Resources.
SWC rubber stamps being done by East Ridge.
SWC screen-printing -Randolph County

The Committee then went into Executive Session (Closed Session)

Donna Lipscomb asked for Chris Miller, Craig Greening, Steve King & Karen Byrd stay in meeting.

Old Business:**WVARF Accounts Receivables:**

WVARF account receivables were reviewed. Chris Miller reported billings last 6 months. August sales were below average. A reduction in temporary services revenues was noted. WVARF is currently looking at ways to build on the Temporary Services Contract program. The 1000 hour rule needs to be looked at. When one person meets 1000 hrs, needs to be replaced. Service does not have to end however the CRPs do not always have someone else to refer. Craig Greening discussed the need to revisit with this rule when bidding on the renewal of this contract. Case law is authority.

Legislative Rule Participation:

Donna Lipscomb reported no changes, will go into effect 7-1-03.

DHHR Warehouse/fulfillment contract:

Craig Greening reported no changes when asked how was it being fulfilled currently he had no information.

Master State wide contract follow-up:

Karen Byrd distributed the Master State wide contract document. This includes 10 state contracts in one Master document. It was approved by director of purchasing and will be ready for Oct 1. One letter of approval is needed for all. Processed contract directly with workshop was brought to her attention had to reissue through

WVARF because commodities have to go through WVARF. To be state use contract law says has to go through WVARF. Dennis Miller made a motion to approve the state wide contract and issue letter. The motion was seconded by Donna Lipscomb. Motion approved.

Presort Re-assignment Recommendation:

Karen Byrd reviewed evaluation document for RFP signed by all members. The contract is awarded to Job Squad. If anyone wishes to file a grievance the following is the procedure. Evaluation document can be obtained with a written request. Grievance will begin. Those grieving have 5 days (same as the legislative rule) to turn in grievance. Next Wednesday will be the deadline. Grievance must include in writing, points of contention explaining what was done improperly or what is incorrect. Lee Dixon will take

grievances no later than close of business, Wednesday, September 24th. When initial period expires Lee has 48 hours to respond to grievance or protest. Will uphold or deny in writing. If the committee's acceptance is upheld you have right to appeal. Committee will respond in writing or a hearing can be done if it is needed. Steve King will provide evaluation sheets. Proposal packets are public documents and will be provided if requested. WARF will not charge for copies. Mark Kessler from Job Squad asked if proprietary information will be taken out of the document. After lengthy discussion regarding what is proprietary information, who would make that determination and who would strike out the information before copies are made and how this would affect WVARF's ability to get the requested copies distributed so the CRPs could stay within the 5 day deadline. After various strategies were discussed, Mark Kessler with Job Squad indicated he did not want to delay things so he indicated that he will not request that propriety information be eliminated. Donna Lipscomb made the motion that the pre-sort contract be assigned to Job Squad based upon the results of the evaluations. Dennis Miller seconded the motion. Motion approved.

New Business:

Capability Survey:

Ken Kennedy reported that he has completed the survey on 27 of 30 CRPs Ken is hoping to be finished this month.

New CNA Procedural Rules:

Donna Lipscomb indicated that since funds had been dispersed without Committee knowledge and the Committee is appointed by the Governor and Senate, the CNA needs to be monitored with strict rules and criteria. She has drafted a set of procedural rules for the Committee's review. Committee members should look at the document over the next 30 days. Ms. Lipscomb asked that the document remain confidential until reviewed so the committee can decide if they would like to adopt the recommended rules and what if any modifications are recommended at the next meeting. Committee members should come to the next meeting and be prepared to discuss and finalize the proposal at the next meeting.

Donna Lipscomb discussed specific contents of the suggested rules. Ms. Lipscomb is concerned about employees of the association being paid with state funds. She feels the association and the CNA need to have a separate budget. The Committee needs to do better job of monitoring 5A3A4 and 5A3A5 of the state statute. Statute gives us right to create rules and monitor the CNA. The Department of Administration's Attorney was involved in deciding the responsibilities. She is just interested in public funds generated for program use. Cannot operate CRP at same time of CNA. Based on the current issues going on, these issues cause the CNA to operate in crises mode and it is the committee's duty to monitor this and this is the reason she wants to adopt rules.

Donna Lipscomb made a motion to adjourn; Brenda King seconded. Motion was approved. Meeting adjourned at 1:00 p.m.

Respectfully submitted by:

Beverly Shamblin

Secretary

Program & Policy Unit

WVDRS